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11 *American Films International Corporation*

12

13 **UNITED STATES DISTRICT COURT**

14 **CENTRAL DISTRICT OF CALIFORNIA**

16 MARK DISALLE, an individual,

17 Plaintiff,

18 v.

19 ALBERTO LENSI, an individual;
20 TRANS-AMERICAN FILMS
INTERNATIONAL CORPORATION,
21 a Delaware corporation, and DOES 1-
10,

22 Defendants.

Case No. 22-cv-02152-SSS-PVCx

23 **JOINT STIPULATION
REGARDING MODIFICATION
OF TRIAL AND PRE-TRIAL
DATES**

District Judge: Hon. Sunshine S.
Sykes
Magistrate Judge: Hon. Pedro V.
Castillo

24 *[Proposed] Order Granting
Continuance and [Proposed]
Schedule of Pretrial Trial and Trial
Dates filed concurrently herewith*

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JOINT STIPULATION

Plaintiff Mark DiSalle and Defendants and Counterclaimants Alberto Lensi and Trans-American Films International Corporation (collectively, the “Parties”) stipulate as follows:

WHEREAS, Plaintiff's lead counsel, Marc Toberoff underwent two important medical surgeries in mid-May, 2023 and the underlying medical issues, these surgeries and post-operative complications has severely limited his ability to work on this case;

WHEREAS, on May 26, 2023, the Parties held a pre-motion discovery conference before the Hon. Pedro V. Castillo who encouraged the Parties to meet and confer, preferably within two weeks, to find mutually convenient dates to take each other's depositions;

WHEREAS, the Parties thereafter engaged in extensive meet and confer conferences per Local Rule 7-3 and have each agreed to take and submit to depositions by the opposing party;

WHEREAS, Defendant-Counterclaimant Alberto Lensi is currently in Italy and will not return to the United States until mid-October, 2023;

WHEREAS, the Parties have further agreed that they will not move to extend the current discovery cut-off date which has passed and the current expert discovery deadlines and will limit discovery to that served prior to the discovery cut-off, and will not serve any new discovery on the opposing party not served prior to the discovery cut-off date;

WHEREAS, the Parties agree that the current expert discovery deadlines will not be resurrected, and expert discovery is closed without either side naming any experts;

WHEREAS, the Parties have further agreed that, given Mr. Toberoff's medical circumstances and Defendant Lensi's location abroad, to continue all other

1 pending trial and pre-trial dates subject to approval of the Court;

2 **WHEREAS**, the Parties have engaged in ongoing settlement discussions and
3 believe that the requested extension will help further a potential settlement of this
4 case;

5 **WHEREAS**, until now, the Parties have not *jointly* requested or been
6 granted an extension of the trial or of any pre-trial dates in this case;

7 **WHEREAS**, the requested schedule modifications will facilitate the overall
8 progress and efficient progression of the case; and

9 **WHEREAS**, pursuant to the Court's Civil Trial Order, a Proposed Order
10 Granting Continuance and Proposed Amended Schedule of Trial and Pretrial Dates,
11 utilizing the Court's template, is filed concurrently herewith.

12 Based on the foregoing, **IT IS HEREBY STIPULATED** by and between
13 the Parties, through their respective counsel of record, subject to the Court's
14 approval that the following modifications be made to the schedule:

- 15 1. The last day to hear motions is continued to December 15, 2023.
- 16 2. The deadline to complete settlement conference is continued to
17 January 5, 2024.
- 18 3. The deadline for filing motions in limine is continued to January 19,
19 2024 and the deadline for filing opposition to motions in limine is
20 continued to February 2, 2024.
- 21 4. The deadline for trial filings (first round) is continued to February 2,
22 2024 and the deadline for filing trial filings (second round) is
23 continued to February 16, 2024.
- 24 5. The hearings on motions in limine is continued to February 23, 2024.
- 25 6. The Final Pretrial Conference [L.R. 16] is continued to March 1, 2024.
- 26 7. The trial date is continued to March 18, 2024.

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2 Dated: June 12, 2023

TOBEROFF & ASSOCIATES, P.C.

3 By: /s/ Marc Toberoff

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9 *Attorneys for Mark DiSalle*

10
11 Dated: June 12, 2023

THE KERNAN LAW FIRM

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Corporation

Pursuant to Local Rule 5-4.3.4(a)(2)(i), the filer attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: June 12, 2023

TOBEROFF & ASSOCIATES, P.C.

By: /s/ Marc Toberoff
Marc Toberoff